

Docket No.: 199463US0X PCT

## RECEIVED

OCT 2 8 2002

TECH CENTER 1600/2900

OBLON
SPIVAK
McClelland
Maier
Neustadt
P.C.

ATTORNEYS AT LAW

ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

RE: Application Serial No.: 09/674,496

Applicants: Bernard DELOBEL Filing Date: January 11, 2001

For: USE OF A POLYPEPTIDE DERIVED FROM A PA1B

LEGUME ALBUMEN AS INSECTICIDE

Group Art Unit: 1638

Examiner: Cynthia E. Collins

SIR:

Attached hereto for filing are the following papers:

Preliminary Amendment and Statement w/Marked-Up Copy (3 pp.)
Sequence Listing Paper (7 pp.)
Sequence Listing Computer Readable Form (CRF) Diskette
Return Copy - Notice to Comply

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,

MAIER & NEUSTADT, P.C.

Norman F. Oblon

Registration No. 124,618

James J. Kelly, Ph.D. Registration No. 41,504

22850

(703) 413-3000 (phone) (703) 413-2220 (fax)



## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

Cion		att	his application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1. ttention is directed to the final rulemaking notice published at 55 FR 18230 (May DG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998)	1, 1990), and 1114 ne final rulemaking	
2002		<ol> <li>This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).</li> </ol>			
		3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).			
		4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."			
	x	5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).			
		6. Th "S	The paper copy of the "Sequence Listing" is not the same as the computer readal Sequence Listing" as required by 37 C.F.R. 1.821(e).	RECEIVED	
		7. O	Other:	OCT 2 8 2002	
	Аp	Applicant Must Provide:		TECH CENTER 1600/2900	
	X	An ir	initial or substitute computer readable form (CRF) copy of the "Sequence Listing		
		An initial or <u>substitute</u> paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.			
	X	A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).			
	Fo	For questions regarding compliance to these requirements, please contact:			
	Fo	r CR atentl Te	tln Software Program Support echnical Assistance703-287-0200	SEE COPY COP	
		То	Purchase PatentIn Software703-306-2600	DEDI V	
	PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY				